

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 2520 - HB 2485

February 15, 2014

SUMMARY OF BILL: Makes it an offense to knowingly supply, deliver, or give possession of a drug, material compound, mixture, preparation, or substance containing any quantity of dextromethorphan to a person less than 18 years of age in an over-the-counter sale without a prescription. Such person, corporation, or retail distributor making the sale is required to obtain an acceptable form of identification prior to sale unless the seller reasonably believes the purchaser, from outward appearance, to be 35 years of age or older. Such offense is punishable by a fine not to exceed \$250. Proof that a person, corporation, or retail distributor, demanded, was shown, and acted in reasonable reliance upon an acceptable form of identification, shall be a defense to any criminal persecution executable under this act. This act shall take effect July 1, 2014.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact - The extent to which local government will be able to collect such funds from assessed penalties and show cause against sellers, is unknown. Any impact to local governments is estimated to be not significant.

Assumptions:

- According to the Department of Health, this will have no significant effect on the Department or any health-related board.
- This act does not punish underage purchasers of dextromethorphan.
- Sellers found in violation of this act are punishable by a fine of up to \$250.
- There may be additional local revenue from penalties assessed from this act; however, the extent to which local governments will be able to collect such funds and show cause against sellers is unknown. Any impact is estimated to be not significant.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/jdb